# PROFILE OF THE BRITISH COLUMBIA MARKETING BOARD

British Columbia's regulated marketing system allows producers to regulate the production of agricultural products. The *Natural Products Marketing (BC) Act* gives the provincial government the authority to regulate the production and/or marketing of specific agricultural products. Producers may join together and ask the government to exercise that authority to regulate a specific agricultural product. If the request is granted, a marketing scheme is established as a regulation under the *Act*, and a marketing board or commission is formed to administer the regulation.

This regulated agri-food system has been in effect for some British Columbia agriculture products since the 1930s, but the majority of marketing schemes were created in the mid-1960s. The system has provided economic stability to large sectors of the industry in British Columbia, and the value of the regulated agri-food sector has steadily increased over the past three decades. That progress continues today.

The British Columbia Marketing Board (BCMB) was created in 1935 under the *Act* to supervise and regulate the marketing boards and commissions. Over the years, its role has been expanded, and its authority redefined. Independent of government, the BCMB's primary mandate today is to administer the regulated marketing legislation in the public interest. The BCMB operates much like a corporate board of directors, with two significant differences: the BCMB does not appoint its own chair or members, and it is committed to administering public-interest legislation.

The regulated marketing system has provided economic stability to a large sector of British Columbia's agriculture industry.

The BCMB has three principal responsibilities: supervising all marketing boards and commissions; acting as the appellate body to hear appeals from organizations or persons who are dissatisfied or aggrieved by a decision of a marketing board and/or commission; and as a signatory to national marketing agreements.

Strategically and operationally bound to effective, independent and accountable conduct, the BCMB offers a balanced response to stakeholders in the regulated marketing sector and to the public.

## THE BCMB'S SUPERVISORY ROLE

The original work of the BCMB was to supervise and regulate individual provincial commodity marketing boards to ensure that they operated fairly and within the law. Supervision remains one of the BCMB's principal responsibilities today.

The BCMB is the general supervisor of all marketing boards and commissions (see "B.C. Marketing Boards and Commissions") constituted under the *Act* to promote, control and regulate the production and/or marketing of natural products within B.C. As the designated agency responsible for administration of the *Act*, the BCMB is granted broad discretionary powers of supervision.

The BCMB's supervisory responsibilities are carried out through:

- regular contact and direct consultation with marketing boards and commissions on existing and emerging issues,
- examinations of orders and policies adopted by the marketing boards and commissions, to ensure that they do not violate existing legislation, exceed their powers or authority, or unfairly impact individual producers or minority groups of producers,
- the authority to amend, revoke or cancel any order made by a board or commission, and
- the authority to conduct audits and investigations, where there is reason to believe that a marketing scheme is being violated.

The BC Marketing Board provides a focused supervisory role to assist marketing boards and commissions to explore market opportunities.

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BRITISH COLUMBIA
MARKETING BOARD

# Strategic Plan

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# THE BRITISH COLUMBIA MARKETING BOARD

## VISION

A viable and growing regulated agri-food industry that sustains primary producers and the agriculture land base and serves the public interest.

## MISSION

To support the regulated agri-food industry in taking advantage of emerging market opportunities and adapting to dynamic provincial, national and global economic climates.

## PRINCIPLES

In exercising its supervisory, appellate and signatory roles, the British Columbia Marketing Board will act with integrity, and in delivering its mandate, it will:

- provide proactive, flexible and cooperative leadership,
- maintain transparent and open consultation with stakeholders,
- conduct business with discretion and maintain confidentiality,
- provide impartial, timely and consistent decision-making, and
- maintain and develop expertise through effective training.

## THE BCMB'S APPELLATE AND DISPUTE-RESOLUTION ROLE

Following a reorganization in 1974, the BCMB was granted expanded powers under the *Act*: its second principal role is as a quasi-judicial appeal body. The BCMB is empowered to hear appeals from any individual or organization that is aggrieved or dissatisfied by an order, decision or determination of a marketing board or commission in British Columbia.

When an appeal is filed, the BCMB will first suggest that the matter be resolved by an alternate dispute resolution process, usually mediation. Between 40 per cent and 50 per cent of all appeals are resolved by agreement between the parties using these processes, and mediators provided by the BCMB. The BCMB is also encouraging marketing boards and commissions to develop their own alternate dispute resolution processes to address issues before an appeal becomes necessary.

If the alternate dispute resolution is unsuccessful, or unsuitable for the issues involved in an appeal, the BCMB convenes a hearing, which is open to the public, to listen to testimony and receive evidence from the appellant, the respondent marketing board or commission, and any other parties with a demonstrated interest in the matter. The BCMB may dismiss the appeal, confirm or vary the order, decision or determination being appealed, or return the matter to the respondent marketing board or commission for reconsideration. The BCMB's decisions may be appealed only to the Supreme Court of British Columbia on a question of law.

The BCMB's appeals and alternate dispute resolution processes provide all parties with impartial and fair resolutions to disputes. The BCMB's appellate role also ensures that marketing boards and commissions remain accountable in the exercise of their authority under the *Act*.

## THE BCMB'S SIGNATORY ROLE

National marketing agreements govern the marketing of table eggs, chicken, broiler hatching eggs, turkey and milk. A benefit of the supply management system is that domestic production is protected by a tariff on imports. Orderly marketing of these commodities is achieved through federal provincial agreements that provide for co-operation in the exercise of federal and provincial authority. At the federal level a national agency, composed of representatives of each province's producer board and members from other national organisations representing industry stakeholders, determine the national demand for a commodity, which is then allocated to each province on the basis of historical shares of production. The provincial commodity board allocates this provincial allocation to the producers in the province.

The BCMB's third principal function is as a signatory to the federal provincial agreements. With the Minister of Agriculture, Food and Fisheries, and the respective marketing boards and commissions, the BCMB is a signatory to the federal/provincial agreements for the marketing of eggs, broiler hatching eggs, and turkey. The BCMB is a member of the national association of federal and provincial supervisory boards and is responsible for supervising the compliance of the provincial marketing boards and commissions with the provisions of the federal provincial agreements. The prior approval of the BCMB is required before a BC commodity board may enter into a federal provincial agreement or an agreement with other provincial and/or federal boards.

Federal provincial agreements provide the national framework for the supply managed sector of the regulated marketing system.

# B.C. MARKETING BOARDS AND COMMISSIONS

The following marketing boards and commissions currently operate within British Columbia:

## SUPPLY-MANAGED INDUSTRIES

- British Columbia Broiler Hatching Egg Commission
- British Columbia Chicken Marketing Board
- British Columbia Egg Marketing Board
- British Columbia Milk Marketing Board
- British Columbia Turkey Marketing Board

## REGULATED INDUSTRIES

- British Columbia Cranberry Marketing Board
- British Columbia Grape Marketing Board
- British Columbia Hog Marketing Commission
- British Columbia Mushroom Marketing Board
- British Columbia Tree Fruit Marketing Board
- British Columbia Vegetable Marketing Commission

# LOOKING AHEAD

The regulated agri-food industry, like many other sectors, has faced significant and far-reaching changes through the 1990s. In increasingly global markets, the influences of distant economies and consumer preferences now affect B.C. more quickly and more acutely than ever before. Today, a merger on the other side of the world can close a local processing plant, or a taste for cranberries in another country can suddenly spur production here. For B.C.'s regulated agri-food sector to continue to grow and succeed, government and industry must therefore continue to be responsive to change, adaptable, and willing to take strong-minded action.

Within that broad context, the British Columbia Marketing Board shares with the government and the agri-food industry the goal of a viable, sustainable business climate for world-class food production in B.C.

The BCMB's roles and responsibilities, however, are unique. As an independent body distinct from government, but with a mandate to administer legislation in the public interest, the BCMB must be dedicated to upholding its supervisory, appellate and signatory duties with fairness, independence, accountability and transparency. This creates unique challenges and opportunities.

The regulated marketing system provides the basis for viable, sustainable world-class food production in British Columbia.

## CHALLENGES

The primary challenges facing the British Columbia Marketing Board include:

- balancing complex responsibilities and roles, primarily the supervisory and appellate functions,
- establishing an appropriate degree of independence from the policy role played by the Ministry of Agriculture, Food and Fisheries, while maintaining an appropriate level of constructive debate with the ministry over that role,
- being responsive to social and business trends toward decreased regulation and increased litigation,
- fostering a deeper understanding among government, industry and the public of the regulated marketing system. There are many commonly held misconceptions about why marketing boards and commissions are created and how they function, and
- effectively carrying out the full range of its responsibilities in a climate of fiscal restraint.

## OPPORTUNITIES

Because of its unique roles and position, the British Columbia Marketing Board also has distinct opportunities. Some of those include:

- the ability to work effectively as an independent, results-oriented unit; one that is small, highly focused, and adaptable in responding to change,
- fully developing the potential of the BCMB's unique position to create a constructive working relationship with the Ministry of Agriculture, Food and Fisheries and other stakeholders,
- working with marketing boards and commissions to improve decision-making and reduce the amount and frequency of litigation,
- ensuring that the regulated agri-food sector has the regulations and, through the strategic planning process, the tools to explore market opportunities, and
- taking the initiative in enhancing communications. The unique position, role and responsibilities of the BCMB put it in touch with a broad and diverse range of government, public and industry stakeholders.

# AND STRATEGIC GOALS OBJECTIVES

## STRATEGIC GOAL 1:

**To ensure that the regulated agri-food industry operates effectively and in a manner that protects the public interest.**

### STRATEGIC OBJECTIVES:

1A: **Ensure that ongoing supervision results in the effective administration and compliance of the relevant scheme or regulation by individual marketing boards and commissions.**

1B: **Maintain the integrity of the regulated agri-food industry by providing a dispute resolution system that is timely, fair and impartial for all stakeholders.**

1C: **Ensure that the provincial interest is recognized, through effective participation in the development and ongoing supervision of federal/provincial agreements.**

## STRATEGIC GOAL 2:

**To enhance the viability of the regulated agri-food industry.**

### STRATEGIC OBJECTIVES:

2A: **Ensure that the regulated agri-food industry regulations and strategic plans meet the demands of changing domestic and international economic and market conditions.**

2B: **Encourage the regulated agri-food industry to recognize and promote new and emerging production and marketing opportunities.**

## STRATEGIC GOAL 3:

**To ensure that British Columbia Marketing Board operations are managed in an efficient, transparent and responsible manner**

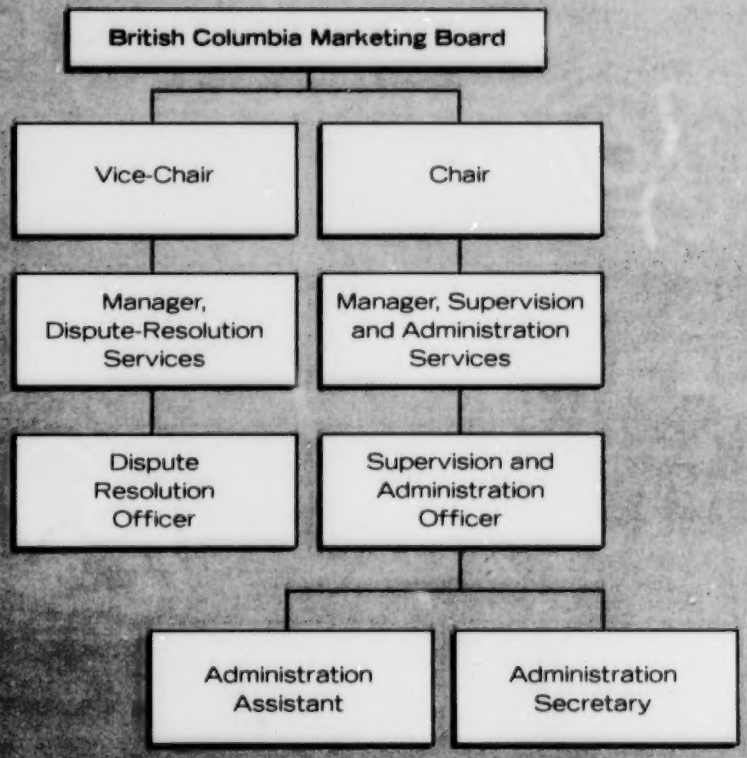
### STRATEGIC OBJECTIVES:

3A: **Ensure that the British Columbia Marketing Board meets acceptable standards in the development and implementation of strategic and business planning, accountability, and administrative procedures, with the support of an effective program of member and staff training.**

3B: **Foster a greater awareness of the BCMB's responsibilities and activities, through an effective communication program.**

# ADDITIONAL INFORMATION

## BRITISH COLUMBIA MARKETING BOARD ORGANIZATION



## HOW TO CONTACT THE BRITISH COLUMBIA MARKETING BOARD

**For information about the BCMB and its work, the regulated marketing system in B.C., or any of the British Columbia natural products marketing boards and commissions, please contact us:**

by phone: 250-356-8945

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